



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



469473

REPLY TO THE ATTENTION OF:

0 5 FEB 2013

SE-5J

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James Connell
1335 North Astor Street, Apt. 5A
Chicago, Illinois 60610

Re: Request for Consent to Access for CERCLA Response Action
947 West Cullerton Avenue, Chicago, Illinois

Dear Mr. Connell:

The United States Environmental Protection Agency (U.S. EPA) again requests access to the real property located at 947 West Cullerton Avenue, Chicago, Illinois. Our request is made pursuant to the authority granted in Section 104(e)(3) and (4) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. § 9604(e)(3) and (4). Our review indicates that you are the owner of record of the property. Our purpose in entering the property is conduct a time critical removal response action under CERCLA in order to abate an imminent and substantial endangerment to human health and the environment posed by the presence of hazardous substances there. In this respect, U.S. EPA entered the property pursuant to a warrant on November 27-28, 2012, and conducted sampling, the results of which confirm elevated levels of organic and inorganic contaminants in soils there, including arsenic, copper, lead, mercury, zinc, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene. A copy of the analytical results of sampling are enclosed with this letter.

We anticipate the removal action at the property will take twelve weeks, and will include implementing a site health and safety plan, securing the site, excavating contaminated soils, staging those soils in a secure manner, arranging for the soils to be treated and disposed of off-site, and conducting confirmatory sampling. The property will be backfilled with clean fill and seeded. We understand the City of Chicago will remove the temporary fence it placed at the Site once the removal action is completed.

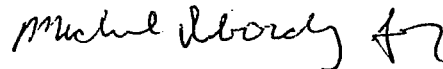
While Section 104(e) of CERCLA authorizes U.S. EPA to enter, at reasonable times, private property to which hazardous substances, pollutants or contaminants may have been released, it is our policy first to seek the owner's consent to entry. Accordingly, enclosed is a consent for access for your signature. Please sign this consent for access and return it to me at:

Steven Faryan
Superfund Division, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604

as soon as possible, but no later than February 18, 2013. If we do not hear from you by that date, we may treat your failure or omission to respond as a denial of consent, and we would evaluate the alternatives available to us, which include seeking a second warrant for access.

You are welcome to contact me at (312) 353- 9351 or Tom M. Williams, Associate Regional Counsel, at (312) 886-0814, if you have any questions concerning this matter. Thank you for your cooperation.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Michael Liberty" followed by a stylized flourish or initial.

Steven Faryan
On-Scene Coordinator

Enclosures

cc (w/ enclosures):
William Ryczek (SE-5J)
Tom M. Williams (C-14J)

CONSENT FOR ACCESS TO PROPERTY

Name: _____

Title: _____

Location of Property: Railroad corridor east of and adjacent to 947 West Cullerton Avenue, at intersection with South Sangamon, Chicago, Illinois

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency ("U.S. EPA") entering and having continued access to the property, at the address identified above for the purpose of conducting a site assessment, including:

Conducting a visual inspection of the property;

Taking photographs of the property; and

Taking surface and depth samples of soils at the property.

I realize that these actions taken by U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601 *et seq.*

This written permission is given by me voluntarily, on behalf of myself and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

Date

Name